

Regulations Concerning Prevention, Intervention, and Treatment Programs for Children and Youth

PART 1. GENERAL PROVISIONS

1.1 Statutory Authority. These regulations are promulgated pursuant to section 25-20.5-101, et. seq., C.R.S.

1.2 Definitions.

- (1) “Department” means the Colorado Department of Public Health and Environment.
- (2) “Division” means the Prevention Services Division
- (3) “Executive Director” means the executive director of the Colorado Department of Public Health and Environment.
- (4) “Prevention, intervention, and treatment program” means a program that provides prevention, intervention, or treatment services. Prevention, intervention, and treatment programs shall include those within the Department and in other state departments, as identified by the Division, using the criteria in Section 2.2 below.
- (5) “Prevention, intervention, and treatment services” means services designed to promote the well-being of children and youth and their families by decreasing high-risk behaviors, strengthening healthy behaviors, and promoting family stability.
 - (a) “Prevention services” means proactive, interdisciplinary efforts to empower individuals to choose and maintain healthy life behaviors and lifestyles, thus fostering an environment that encourages law-abiding and non-troubled behavior.
 - (b) “Intervention services” means proactive efforts to intervene at early signs of problems to stop disease, reduce crises and to change problem behaviors.
 - (c) “Treatment services” are individualized care services to treat and rehabilitate individuals and/or groups in crisis situations and to aid in changing problem behaviors.
- (6) “State Plan” means the state plan for the delivery of prevention, intervention, and treatment services to children and youth throughout the state.
- (7) “Tony Grampsas Youth Services (TGYS) Board” means the board created pursuant to section 25-20.5-201, C.R.S.

1.3 Desired Program Outcomes. Prevention, intervention, and treatment programs are designed to address one or more of the following desired outcomes:

- (1) All infants and children thrive;
- (2) All children are ready for school;
- (3) All children and youth succeed in school;
- (4) All youth choose healthy behaviors;
- (5) All youth avoid trouble/illegal behavior;
- (6) All children live in caring and supportive families; and
- (7) All children and youth live in safe and supporting communities.

PART 2. DEPARTMENT AND DIVISION RESPONSIBILITIES

2.1 Applicability. This Part 2 applies to the Department and Division.

2.2 Criteria for Determining Whether a Program Constitutes a Prevention, Intervention, and Treatment Program for Children and Youth.

- (1) The criteria listed in paragraphs (a) through (d) of this subsection shall be used to determine whether a program qualifies as a “prevention, intervention, and treatment program” for the purposes of section 25-20.5-106 (2)(e) C.R.S. The program:
 - (a) Is operated by or funded through a state agency;
 - (b) Provides one or more of the services listed under 1.2 (5);
 - (c) Is designed to address one or more of the outcomes listed under 1.3; and
 - (d) Is not a juvenile program operated by the Division of Youth Corrections in the Department of Human Services, a program operated for juveniles in connection with the state judicial system, or a program pertaining to out-of-home placement of children pursuant to title 19, C.R.S.
- (2) In addition, the Division may review any pertinent information submitted by the program under review.

PART 3. STATE PLAN

3.1 Applicability. This part 3 applies to the Department, the Division, and any other person that reviews the state plan.

3.2 Review of state plan.

- (1) The Division shall review the state plan biennially. The Division shall complete the review by no later than March 31st biennially beginning in the year 2003.
- (2) The Division review shall include, but not be limited to:
 - (a) Holding at least two public meetings to receive input from members of the public and from state agencies and entities operating preventing, intervention, and treatment programs; and
 - (b) Ensuring the state plan provides the most efficient and effective delivery of prevention, intervention, and treatment services throughout the state, and meets the following minimum requirements:
 - i. Target and prioritize community prevention, intervention, and treatment service needs throughout the state;
 - ii. Specify the standards for measurable outcomes anticipated to be achieved by prevention, intervention and treatment programs that receive state and federal funds and the outcomes to be achieved through the coordination of said prevention, intervention, and treatment programs;
 - iii. Identify all state and community-based prevention, intervention, and treatment programs that are receiving state and federal funds during the

- fiscal years for which the plan is submitted and the schedule for review of said prevention, intervention, and treatment programs; and
- iv. Identify the methods by which the Division shall encourage collaboration at the local level among public and private entities, including but not limited to private for-profit and nonprofit providers and faith-based service providers, in providing prevention, intervention, and treatment services.

3.3 Submittal Of State Plan

- (1) If the Division revises the state plan during a biennial review, the Division shall submit the revised state plan to the governor, the Tony Grampsas Youth Services Board, and the executive director of the Department for approval no later than June 30th after the review was complete.
- (2) The Division shall provide a copy of any approved revised state plan to the board of health, general assembly, and each state department that operates a prevention, intervention, and treatment program, within thirty (30) days of approval of the revised state plan by the governor, the Tony Grampsas Youth Services Board, and the executive director of the Department.
- (3) The Division shall place the approved revised state plan on the internet within 30 days of approval of the revised plan by the governor, the Tony Grampsas Youth Services Board, and the executive director of the Department.
- (4) The Division shall provide copies of the approved state plan and approved revised state plans to any person upon request.

PART 4. PREVENTION, INTERVENTION, AND TREATMENT PROGRAM REPORTS

- 4.1 Applicability.** This part 4 applies to each state agency that operates or uses state or federal funds to operate a prevention, intervention, and treatment program.
- 4.2 Each state agency that operates a prevention, intervention, and treatment program shall annually submit a report to the Division within thirty (30) days of either: the beginning of the contract period for which the program receives money or the beginning of the fiscal year for which the state agency receives funding. The report shall include the following information for each prevention, intervention, and treatment program operated by the state agency:**
 - (1) The name of the agency, the name of the program, the name of the unit where the program is housed, contact information for the person managing the program;
 - (2) The statutory authority, funding source, beginning and ending dates of funding, and the amount of funding for the program;
 - (3) The general parameters and a written description of the program not to exceed 250 words; and
 - (4) Specific information regarding the program, including, but not limited to:

- (a) The overall goal or purpose of the program,
- (b) Primary problem area(s) to be addressed,
- (c) The population to be served by the program,
- (d) The geographic area(s) to be served by the program,
- (e) The prevention, intervention and treatment services to be provided by the program, and
- (f) The specific, measurable outcomes to be achieved by the program.

4.3 Each state agency using state or federal monies to fund local prevention, intervention, and treatment programs or statewide prevention, intervention and treatment initiatives shall annually submit to the Division a description of each prevention, intervention, and treatment program funded, which includes, but is not limited to:

- (1) The name of the agency and the name of the program funded, address, contact information and type of entity for each program receiving funds;
- (2) The amount awarded and beginning and end date of each award, and prior year funding;
- (3) A written abstract or summary of the program or project not to exceed 100 words; and
- (4) Specific information regarding the program, including:
 - (a) The overall goals or purpose of the program,
 - (b) Primary problem area(s) to be addressed,
 - (c) The population to be served by the program,
 - (d) The geographic areas(s) to be served including a list of counties receiving services,
 - (e) The prevention, intervention, and treatment services to be provided, and
 - (f) The specific, measurable outcomes to be achieved by the program.

The above information shall be submitted to the Division within 30 days of notice of grant award to the agency receiving funding.

4.4 At the close of the fiscal year for each of the programs referenced in paragraph 4.3 above, each state agency funding these programs shall, on behalf of these programs, submit evidence of the prevention, intervention, and treatment program's progress in meeting its stated outcomes and goals during the preceding fiscal year and in previous fiscal years, depending on how long the prevention, intervention, and treatment program has been in operation, including, but not limited to:

- (1) Sources from which the program received funding and amount received from each source;
- (2) Number of statewide initiatives and local programs funded;
- (3) A description of the population served by the program; and the total number of people receiving services during the previous year;
- (4) The services provided by the program during the previous year;

- (5) The program's progress in meeting stated goals and outcomes for the previous year; and
- (6) A list of any entity (ies) collaborating in the delivery of prevention, intervention, and treatment services through the program.

The above information shall be submitted to the Division within ninety (90) days of the close of the fiscal year for the program, in a format to be established by the Division. The state agency shall combine like-kind programs into a single program report based upon guidance developed by the Division.

PART 5. UNIFORM, MINIMUM STANDARDS

5.1 APPLICABILITY. This part 5 applies to state and federally-funded prevention, intervention, and treatment programs for children and youth.

5.2 Each prevention, intervention, and treatment program that receives state or federal funds shall meet the following uniform, minimum standards:

- (1) Clear statement of problem/issue to be addressed. The program/project shall identify the specific problem/issue(s) to be addressed, and describe a population or geographic area where the problem/issue exists. Estimates of the extent and nature of the problem in the population or geographic area to be served shall be based on relevant existing local, regional, state or national data (e.g. data from health, human services, education, law enforcement agencies, relevant studies, or program data).
- (2) Focus on contributing factors. The program/project shall address risk factors known to contribute to the problem and/or protective factors known to prevent or reduce the problem; and shall focus its resources on changing these risk and protective factors. If specific risk and protective factors for the problem have not been identified in the literature, the program/project shall provide a clear rationale for the program focus, based on relevant prevention/intervention or child/youth development principles, theories or frameworks.
- (3) Intended outcomes specified. The program/project shall specify one or more outcomes it intends to achieve as a result of the prevention and intervention program/services to be provided. These intended outcomes shall be related to changing the factors contributing to the problem or factors contributing to prevention or reduction of the problem. The intended outcomes shall specify the changes in knowledge, attitudes/beliefs, skills, behaviors, obstacles/enabling factors in the physical or social environment and/or changes in the physical and emotional health status, educational achievement or well-being of the individual, group or community being served.
- (4) Evidence-based programs/services. The program/project shall provide prevention and intervention services that have been previously implemented in one or more communities with demonstrated success in achieving the intended results; or that otherwise

demonstrate a reasonable potential for success based on research, sound prevention/intervention principles and/or relevant theory.

- (5) Services and target population specified. The program/project shall specify the amount and type of services to be provided, and the proposed number of individuals, groups or the target population that will receive or benefit from the various program activities/services provided.
- (6) Evaluation. (a) the program/project shall systematically document and be able to provide data regarding services provided/activities carried out, and the number of individuals, groups and/or target population(s) receiving the services or benefiting from program activities; and (b) the program/ project shall systematically document changes occurring as a result of the program services and activities provided; and shall provide evidence of progress in meeting one or more of its outcomes.
- (7) Agency capacity. (a) staff carrying out the program/project shall be trained in the specific program, services or model that they will be implementing; or they shall have at least two years prior experience in the successful implementation of similar prevention or intervention programs, practices and/or policies; and (b) the agency shall maintain records of revenues and expenditures by funding source, and shall be able to produce verification of expenses upon request. The agency shall assure that an independent review of the fiscal records/practices is conducted periodically, but no less frequently than annually.
- (8) Collaboration. The program/project shall regularly exchange information with other public, private and non-profit prevention, intervention and treatment programs at the state, regional or local level (e.g. faith-based organizations, health, education, human service, law enforcement agencies or other units of government) for the purposes of resource sharing, coordination of efforts, case management and to avoid duplication of services.

Part 6. UNIFORM STANDARDS AND PROCEDURES FOR REVIEWING STATE AND LOCAL PREVENTION, INTERVENTION AND TREATMENT PROGRAMS

6.1 Applicability. This part 6 applies to all prevention and intervention programs for children and youth within the state that are operated or funded by a state agency using either state or federal funding.

6.2 The following standards and procedures shall be used in reviewing state and local prevention, intervention, and treatment programs that receive state or federal funds:

- (1) Identification of programs to be reviewed. The Division shall use the criteria/definitions established by the State Board of Health in part 1.2.4 and 1.2.5 in determining which programs are subject to review. The Division shall notify the state agency funding and/or

operating the program and advise them that they are subject to review. The review will focus on state level programs and practices. Entities receiving funds from the above-mentioned state level programs will be reviewed as part of the overall state level program review.

- (2) Exceptions to review requirement. The division may determine that programs are exempt from review based on the following criteria:
 - (a) The program is currently required to carry out a review similar in nature to the one required by 25-20.5-108 C.R.S. If a program is currently required to carry out a review similar in nature to the review required by 25-20.5-108 C.R.S. and this review addresses the elements and criteria specified under this rule, the Division may accept that review in lieu of conducting its own review; and may forward a summary of that review to the parties designated in subsection (9) below;
 - (b) The program is the result of one-time funding, with no expectation of additional state or federal funding in the near future;
 - (c) The program is clinical in nature and is governed by clinical practice standards, professional certification and/or licensing standards; or
 - (d) The program is specifically excluded in 25-20.5-109 C.R.S.
- (3) Timelines for review. The Division shall, at least every four years, review or cause to be reviewed each prevention, intervention, and treatment program operated within this state. All programs subject to review, shall undergo an initial review by June 30, 2004. In subsequent years, the Division in conjunction with the affected agencies and programs, shall establish a schedule for review. Programs must have completed at least one year of operation prior to review. Timing of the review shall, to the extent possible, be scheduled to coincide with existing program cycles.
- (4) Review criteria. State programs shall be reviewed to determine the extent to which they:
 - (a) Meet their intended goals and outcomes;
 - (b) Comply with the applicable rules adopted by the State Board of Health;
 - (c) Comply with all requirements of the agency overseeing the operation of the prevention, intervention or treatment program;
 - (d) Meet the uniform minimum standards for state and federally-funded prevention and intervention programs for children and youth specified in part 5.2;
 - (e) Support and require their grantees/contractors to comply with the uniform, minimum standards for state and federally funded prevention and intervention programs in part 5.2;
- (5) Documentation. Each program to be reviewed shall provide the Division, or its contractor, with the following documents, upon request:

- (a) A copy of the grant or proposal submitted to the state or federal funding source that outlines the overall goals and intended outcomes of the program;
 - (b) A copy of the request for proposal, or similar document, used to solicit proposals for services to be provided by local, state or regional prevention and intervention service providers;
 - (c) A copy of the criteria used in making decisions regarding which programs and services to fund;
 - (d) A sample, as requested by the Division or contractor, of successful proposals and/or contracts with successful applicants;
 - (e) A sample of quarterly, biannual or annual reports submitted by grantees which includes information on the implementation of the project/services provided and an evaluation of the extent to which the program reached its intended goals and outcomes;
 - (f) A copy of an annual report, or similar document, provided to the original state or federal funding source which includes information on program implementation/ services provided and an evaluation of the extent to which the program reached its intended goals and outcomes;
 - (g) A statement that certifies that the program is complying with all requirements of the agency overseeing the operation of the program;
 - (h) Additional information may be requested or considered, as necessary. The information provided in the above documents will be reviewed and summarized by the Division or its contractor, and an executive summary of each program review will be drafted.
- (6) Involvement of program staff. During the process of the program review, the Division or its contractor shall communicate with the program staff to gather information, review findings, and assure accuracy prior to development of the final program review summary. The Division will retain overall responsibility for the final review summary of programs.
- (7) Unsatisfactory ratings. If the division determines that a state-operated prevention, intervention, and treatment program is not meeting or making adequate progress toward meeting the outcomes specified for the program, or is otherwise failing to comply with statutory or regulatory requirements, the Division shall notify the program of its findings in writing. Within 30 days of notification, the program will submit to the Division an improvement plan to correct deficiencies. At 90-day intervals from the time the plan is filed, the program will submit progress reports to the division on the manner in which they are implementing the improvement plan. If, after six months, the program is not making satisfactory progress in addressing program deficiencies, the division shall recommend to the Governor or to the general assembly, whichever is appropriate, that the prevention, intervention, and treatment program cease receiving state or federal funding.

If the Division determines that a community-based prevention, intervention and treatment program is not meeting or making adequate progress toward meeting the outcomes specified for the program, or is otherwise failing to comply with statutory or regulatory

requirements, the Division, shall revoke the grant issued to the program, if it was issued by the Division, or recommend revocation to the state agency that issued the grant.

A community-based prevention, intervention and treatment program for which the grant is revoked may appeal as provided in the “State Administrative Procedure Act”, Article 4 of Title 24, C.R.S.

- (8) Contract for review. The Division may contract with one or more public or private entities to conduct the reviews of prevention and intervention programs and assist in preparing the annual executive report as required in this section.
- (9) Report dissemination. The Division shall annually prepare or oversee the preparation of an executive summary of the prevention, intervention, and treatment program reviews conducted during the preceding year, and submit such summary to the Governor, to the General Assembly, to each state department that operates a prevention, intervention, and treatment program, and upon request, to each entity that receive state or federal funds for operation of a prevention, intervention, and treatment program during the fiscal year for which the summary is prepared. In addition, the Division shall provide copies of the executive summary to any person upon request.

6.3 Cost allocation formula. The Division shall receive a percentage, as determined by rule, of the operating cost of each state prevention, intervention, and treatment program reviewed to offset the costs incurred by the Division in performing such reviews 25-20.5-108 (4), except as set forth in section 6.3(1)(a)(b)(c).

- (1) Program review options. Because of the different funding mechanisms across state agencies, the varying level of work required to complete a program review, the need for flexibility, and the desire to make the best use of existing resources, the Division may offer options to programs to offset the cost of review, including:
 - (a) The program may demonstrate, using procedures and format determined by the Division, that it has completed a review which is similar in nature to the one required by 25-20.5-108 C.R.S. and, will supply documentation of the results of that review to the Division, in a format to be determined by the Division;
 - (b) The program may assign staff with expertise in program evaluation/review to prepare the necessary documentation, using procedures and format determined by the Division, to assess the extent to which the program meets the uniform, minimum standards and demonstrates progress in meeting its intended goals and outcomes, thereby substantially reducing outside costs;
 - (c) The program may directly contract with an evaluator, approved by the Division, who will complete the review, using criteria, procedures and format outlined by the Division; or

- (d) The program may forward an amount to the Division, based on hourly rate and the total amount of time required to conduct the review as calculated by the Division.
- (2) Cost allocation. The plan for review of the program will include an assessment of the cost, if any, to the Division of conducting the review and the manner by which those costs will be covered by the Division and/or by the program being reviewed. If state general fund or other funding is not available to the Division to carry out or contract for the program review, all costs associated with the review will be allocated to programs reviewed based on the amount of Division staff and/or contractor time required to complete the review.